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SUBJECT: Trafficking in Persons LOA for Brazil

1. (SBU) Begin Summary: Our efforts to negotiate a Letter of Agreement (LOA) with the Brazilian Ministry of External Relations (MRE) concerning the President's Initiative on Trafficking in Persons have made no progress and we do not anticipate movement any time soon. Since the Brazilian implementing agencies have shown great interest and even enthusiasm for these projects, we are planning to go ahead without an all-encompassing LOA. Instead, we and the Brazilians believe that we can rely on existing agreements and arrangements to implement the programs. End Summary.

2. (SBU) We have made great progress in Brazil implementing projects funded by the President's Initiative on Trafficking in Persons. The HHS portion of the program has been implemented. The Department of Labor identified Catholic Relief Services (CRS) in Brazil as an implementing agency. CRS has partnered with Caritas Brazil and already begun training and other activities. USAID has reached agreement with its GOB partners and now that it has received it funding, has already put out a request for proposals. National Secretary for Justice Claudia Chagas stands ready to implement a good part of the Department of State project, lacking only funding.

3. (SBU) The law enforcement portions of the initiative are similarly ready to go. A combined DHS/DOJ team traveled to Brazil last December and met with all the relevant GOB actors. Since returning to Washington, DHS and DOJ have worked closely with their counterparts at the Embassy and in the GOB to develop program plans that are ready for implementation.

4. (SBU) Characteristically, only the Ministry of External Relations has been less than enthusiastic. The Ministry does not see the negotiation of an LOA as a priority, and has done little to advance discussions. Both the Embassy and the various Brazilian agencies that would be involved in these projects have tried numerous times to move the process along with the MRE, but with no success to date. We doubt we will ever get an LOA out of the MRE and continued efforts to do so will only place us in the position of supplicant. Based on our experience with the MRE, such a position normally represents neither an effective approach nor a promising start for a bilateral program that we are funding.

5. (SBU) Therefore, we are planning to drop efforts to negotiate an LOA with the MRE. We have ample precedent for this approach. USAID, DOL, DOJ, and DHS all have bilateral assistance projects underway without benefit of an LOA with the Ministry. USAID and DHS have a number of existing agreements with their GOB counterparts and could operate under those agreements. Unless instructed otherwise, we plan to use these existing agreements and arrangements, and negotiate the addendums necessary directly with the implementing agencies, rather than continuing to seek an all-encompassing LOA. We discussed this recommendation with the MRE high-level official responsible for this issue and he was receptive to our recommendations and thought that might be resolved through existing agreements or a simple exchange of notes.

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